

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

UNITED STATES OF AMERICA

VS.

ANTONIO BISHOP,

Defendant

NO. 3: 05-CR-36 (CAR)

VIOLATIONS: DRUG RELATED

**ORDER OF DETENTION PENDING TRIAL**

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a DETENTION HEARING was this day held in the above-captioned case before the undersigned. The defendant was represented by Mr. Reza Sedghi of the Macon Bar; the United States was represented by Assistant U. S. Attorney Tamarra A. Jarrett. Based upon the evidence presented and proffered to the court by the parties and the contents of the Pretrial Service Report dated December 12, 2005, I conclude that the following facts require the detention of the defendant pending the trial of this case.

**PART I - FINDINGS OF FACT**

- ☒ (1) There is PROBABLE CAUSE to believe that the defendant has committed an offense  
☒ for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act.  
☐ under 18 U.S.C. §924(c).
- ☒ (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

ALTERNATIVE FINDINGS

- ☒ (1) There is a serious risk that the defendant will not appear.
- ☒ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

**PART II - WRITTEN STATEMENT OF REASONS FOR DETENTION**

Applying the factors set forth in 18 U.S.C. §3142(g), I find that the testimony and evidence presented at the DETENTION HEARING, as supplemented by information contained in the Pretrial Services Report of the U. S. Probation Office dated December 12, 2005, independently establish by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. §3142(c) will reasonably assure the appearance of defendant BISHOP and the safety of the community were he to be released from custody at this time. The offenses charged against the defendant are serious drug offenses for which he faces long-term imprisonment if convicted; his estimated guideline sentencing range is 121 months to 151 months in prison. The weight of evidence is strong; both Antonio Bishop and his brother Antron Bishop appear to have been involved in illegal drug trafficking for the past four years. In addition, evidence has been presented of a face to face sale of crack cocaine by Antonio Bishop to a confidential informant on or about November 15, 2004.

Defendant BISHOP has strong ties to the Athens-Clarke County area, but he also has a significant criminal arrest record which includes arrests for POSSESSION OF MARIJUANA WITH INTENT TO DISTRIBUTE, MURDER, AGGRAVATED ASSAULT, and making TERRORISTIC THREATS. The undersigned notes that the drug charges made in 2001 were dismissed or *nolle prossed* and that the defendant was acquitted of MURDER in 2004. The May, 2004 AGGRAVATED ASSAULT prosecution ended in a mistrial because of a hung jury; the defendant remains in state custody for this offense and is to be retried. The TERRORISTIC THREATS charge is pending.

In the view of the undersigned, the evidence presented at the Detention Hearing independently establishes a serious danger to the community based upon involvement in drug activity and in violent offenses. In addition, there is a serious risk of flight present in this case based upon the fact that he faces very long imprisonment if convicted.

For the foregoing reasons, pretrial detention is mandated. IT IS SO ORDERED.

### PART III - DIRECTIONS REGARDING DETENTION

The defendant is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 14<sup>th</sup> day of DECEMBER, 2005.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE